

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

SYDNEY DECAPIANO ,

Defendant.

8:17CR50

ORDER

This matter is before the court on the defendant's Unopposed Motion to Continue Trial [26]. Counsel is requesting additional time to complete negotiations. Defendant shall comply with NECrimR 12.1(a). For good cause shown,

IT IS ORDERED that the Unopposed Motion to Continue Trial [26] is granted as follows:

1. The jury trial, now set for October 10, 2017 is continued to **October 31, 2017**.
2. The defendant shall file an affidavit required by paragraph 9 of the progression order and NE.CrimR 12.1(a) forthwith.
3. In accordance with 18 U.S.C. § 3161(h)(7)(A), the court finds that the ends of justice will be served by granting this continuance and outweigh the interests of the public and the defendant in a speedy trial. Any additional time arising as a result of the granting of this motion, that is, the time between **today's date and October 31, 2017**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act. Failure to grant a continuance would deny counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(A) & (B)(iv).

Dated this 5th day of October, 2017.

BY THE COURT:

s/Susan M. Bazis
United States Magistrate Judge